

## REMARKS

The present invention relates to nucleic acids encoding a mammalian resistin gene, and proteins encoding thereby.

Claims 1-81 are pending in the application and have been restricted into 36 groups as indicated in the Restriction Requirement mailed May 26, 2004. Applicants hereby elect to prosecute the claims of Group X, claims 22-24, 74, 76, 78 and 80, drawn to (i) an antibody that specifically binds human resistin polypeptide, or a fragment thereof, and (ii) an antidiabetic composition comprising the antibody of (i) and a pharmaceutically-acceptable carrier. Therefore, claims 22-24, 74, 76, 78 and 80 are under consideration in this application following entry of the present Response to Restriction Requirement.

### Sequence Listing

The Examiner contends that the application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences as set forth in 37 C.F.R. § 1.821(a)(1) and (a)(1). However, the Examiner asserts that the application fails to comply with the requirements of 37 C.F.R. § 1.821 - § 1.825.

Per the Examiner's request, Applicant submits a substitute paper and computer readable format (CRF) copy of the sequence listing originally filed in this application. The substitute paper and the CRF copy of the sequence listing add no new matter to the present application, but merely provide an identical copy of the original sequence listing previously filed in the application. Further, Applicant submits herewith a proper statement to support filing and submission in accordance with 37 C.F.R. § 1.821 - § 1.825. As such, Applicant assert that the application fully complies with the requirements of 37 C.F.R. § 1.821 - § 1.825.

Summary

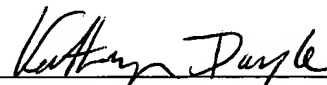
Favorable examination of claims 22-24, 74, 76, 78 and 80 is respectfully requested.

Respectfully submitted,

**MITCHELL A. LAZAR**

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(Date)

By:

  
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